IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE ANTONY DOMINIC

FRIDAY, THE 11TH MAY 2007 / 21ST VAISAKHA 1929

WP(C).No. 14992 of 2007(I)

PETITIONER:

N.S.VARGHESE, SURAJ INDUSTRIES,
PANCODE, VADAVANCODE, ERNAKULAM DISTRICT.

BY ADV. SRI.JAIRAM.V.MENON

RESPONDENTS:
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1. THE SALES TAX OFFICER,
IIND CIRCLE, PERUMBAVOOR.

2. THE DEPUTY COMMISSIONER (APPEALS)
COMMERCIAL TAXES, ERNAKULAM.

3. THE DEPUTY TAHSILDAR (REVENUE RECOVERY)
TALUK OFFICE, KUNNATHUNAD,
PERUMBAVOOR.

BY SPL. GOVT. PLEADER (TAXES) SRI. GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 11/05/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

Antony Dominic, J.

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WP(C).No.14992 of 2007

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Dated this the 11th day of May, 2007.

JUDGMENT

Aggrieved by Ext.P1 assessment order, petitioner has filed Ext.P3 appeal before the second respondent. Along with Ext.P3, Ext.P4 petition for stay, Ext.P5 application for condonation of delay and Ext.P6 petition for early hearing of the appeal have been filed. However, during the pendency of the appeal and the other applications, revenue recovery proceedings, evidenced by Exts.P7 and P8, have been initiated compelling the petitioner to file this Writ Petition.

2. Although substantial reliefs have been sought, I am inclined to dispose of the Writ Petition only by directing the Appellate Authority – second respondent to consider and pass orders on Ext.P4 stay petition and Ext.P5 application for condonation of delay. Such orders shall be passed within four weeks from the date of receipt of a copy of this judgment. In the meanwhile, further proceedings pursuant to Exts.P7 and P8 shall be kept in abeyance.

The petitioner is directed to produce a copy of this judgment before the second respondent for compliance.

Antony Dominic
Judge.

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